

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

I, Kimberly E. Dallas, United States Postal Inspector, do hereby swear and affirm the following facts as being true to the best of my knowledge, information, and belief:

1. I am a United States Postal Inspector, assigned to investigate the unlawful transportation of contraband, including Title 21 controlled substances, through the United States Mail. I have been a Postal Inspector since August 2010. In September 2011, I attended a one-week training course presented by the United States Postal Inspection Service addressing current trends in narcotics mailings. As part of my duties, I investigate incidents where the United States mail system is used for the purpose of transporting non-mailable matter, including controlled substances such as marijuana, cocaine, methamphetamine and heroin, in violation of Title 21, United States Code, Sections 841(a)(1), 843(b), and substances mailed in violation of Title 18, United States Code, Section 1716.
2. Based on my experience, training and discussions with other law enforcement officers experienced in drug investigations, I know that certain indicators exist when persons use the United States Mails to ship controlled substances from one location to another. Indicators for parcels that contain controlled substances include, but are not limited to the following:
 - a. It is a common practice for the shippers of controlled substances



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and proceeds of the sale of controlled substances to use Express Mail because the drugs arrive faster and on a predictable date, and this system allows shippers to keep track of the shipment. With regards to Express Mail parcels, shippers pay for the benefit of being able to confirm the delivery of the parcel by checking the U.S. Postal Service Internet Website and/or calling a toll free number.

- b. These packages in many instances contain a fictitious return address, incomplete return address, no return address, the return address is same as the addressee address, or the return address does not match the place where the parcel was mailed from. These packages are also sometimes addressed to or from a commercial mail receiving agency (i.e., UPS Store). These address practices are used by narcotics traffickers to hide the true identity of the person(s) shipping and/or receiving the controlled substances from law enforcement officials.
- c. In order to conceal the distinctive smell of controlled substances from narcotic detector dogs, these packages tend to be wrapped excessively in bubble-pack and wrapping plastic, and are sometimes sealed with the use of tape around all the seams. Also, the parcels often contain other parcels which are carefully sealed to prevent the escape of odors. Sometimes perfumes, coffee, dryer sheets, tobacco or other smelling substances are used to mask the



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odor of the controlled substances being shipped.

- d. When the shipper mails controlled substances from a particular area/state, the proceeds from the sale of these controlled substances may be returned to the shipper. Based on experience and discussions, there are known source states, where controlled substances are mailed from, including California, Oregon, Washington, Arizona and Texas.
 - e. I know from training and discussions with other law enforcement officers that the following controlled substances are likely to be found during parcel interdictions: marijuana, methamphetamine, cocaine, LSD, psilocybin mushrooms, heroin, opium, and MDMA.
3. In this warrant application, I seek this Court's authority to search Express Mail Parcel EI268433739US, which is described in greater detail below, for controlled substances in violation of Title 21 U.S.C. Sections 841(a)(1) and 843(b) and Title 18 U.S.C. Section 1716.

RELEVANT FACTS PERTAINING TO EXPRESS MAIL PARCEL

EI268433739US

4. On September 11, 2012, the Express Mail Parcel EI268433739US that is the subject of this search warrant affidavit, was identified by a postal employee due to characteristics used by narcotics traffickers (hereinafter referred to as the subject parcel), addressed to "Gary Enmon, PO Box



877490, Wasilla, Alaska 99687," from "949 N Reoere, Mesa, AZ 85201."

A photocopy of the label of the subject parcel is attached as **Exhibit 1**.

The subject parcel weighs approximately 4 ounces and is described as a Small Flat Rate Mail box, with Express Mail tape, measuring approximately 8.5 x 5.5 x 1.5 inches, bearing hand written sender and addressee information. The subject parcel is affixed with a Postage Validation Imprinter (PVI) sticker in the amount of \$28.00, and was mailed on September 10, 2012 from Phoenix, AZ 85026.

5. On September 11, 2012, I also identified Express Parcel EI268433725US addressed to "James Rose, 647 E 73 Ave Apt 1, Anchorage, Alaska 99518," from "849 N Reoere, Mesa, 85201." A photocopy of this parcel's label is attached as **Exhibit 2**. Per Accurant, a search database under Lexis-Nexis, there are no records for 849 N. Reoere, Mesa, AZ 85201. There is a record for 849 N Revere, however, it is an apartment complex. Therefore, without a name or apartment number, the parcel can not be associated with a sender. The data provided by Accurant is a combination of over 33 billion records from over 8,800 different data sources which are updated daily, weekly, monthly, and annually, depending on the particular data source.
6. The subject parcel was identified due to characteristics drug traffickers use to prevent the detection of drugs being shipped through the mail. For this parcel, these characteristics included, but are not limited to:
 - a. Multiple parcels sent. (Based on my training and experience and



the experience of other law enforcement officers who are involved in drug investigations, I know narcotics traffickers will often send and receive multiple Express Mail articles within a short time period of each other.)

- b. Sent from a known source state. (Arizona is a known narcotics source state from which narcotics are shipped out and proceeds of narcotics sales are sent to. See Paragraph 2.c)

- 7. On September 11, 2012, at approximately 10:15 AM, Alaska State Trooper (AST) Rick Pawlak had canine "Duncan" examine the subject parcel. AST Pawlak, "Duncan's" handler, advised me that the canine had exhibited a change in behavior consistent with the presence of an odor of a controlled substance the canine is trained to recognize. Attached hereto as **Exhibit 3** and incorporated herein by reference is a true and correct copy of a written statement provided by AST Pawlak, which sets forth "Duncan's" training and experience as a narcotics detector dog. The subject parcel is currently in my custody at my office at 341 W. Tudor Road, Suite 208, Anchorage, AK 99503, and is in its original sealed and intact condition.

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8. Based on my training and experience as a Postal Inspector and the
aforementioned factors, your affiant believes there is probable cause to
believe that the subject package contains controlled substances, and/or
other evidence of violations of Title 21, United States Code, Sections
841(a)(1) and 843(b), and Title 18, United States Code, Section 1716

FURTHER AFFIANT SAYETH NAUGHT.

SIGNATURE REDACTED

Kimberly E. Dallas
Postal Inspector

Subscribed and sworn to
before me, this 11th day of
September 2012.

/s/ DEBORAH M. SMITH
U.S. MAGISTRATE JUDGE
SIGNATURE REDACTED

U.S. MAGISTRATE JUDGE



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EI 268433739 US



1007

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\$28.00
00017623-13

Inspection Service Exhibit

Label 113, July 1987

PRESS HARD. YOU ARE MAKING 3 COPIES.

ORIGIN (POSTAL SERVICE USE ONLY)

Post ZIP Code	85026	Day of Delivery	Mon <input checked="" type="checkbox"/> Tue <input checked="" type="checkbox"/> Wed <input type="checkbox"/> Thu <input type="checkbox"/> Fri <input type="checkbox"/> Sat <input type="checkbox"/> Sun <input type="checkbox"/>	Postage	\$ 28.00
Date Accepted	9 10 12	Scheduled Date of Delivery	9 12	Return Receipt Fee	\$
Time Accepted	3:02 PM	Scheduled Time of Delivery	11 AM	Insurance Fee	\$
Rate	4.3	Military <input type="checkbox"/> Nonmilitary <input checked="" type="checkbox"/>		Total Postage & Fees	\$ 28.00
		1st Day <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day <input type="checkbox"/>		Acceptance Emp. Initials	22
		Int'l Alpha Country Code			

FROM: (PLEASE PRINT) PHONE ()

949 n Revere
Mesa AZ
85001

FOR PICKUP OR TRACKING
WWW.USPS.COM

UNITED STATES POSTAL SERVICE
DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time	Employee Signature
Mo. Day	Time	
Mo. Day	Time	
Delivery Date	Time	
Mo. Day	Time	

CUSTOMER USE ONLY

PAYMENT BY ACCOUNT
Express Mail Corporate Acct. No. ☒ WAIVER OF SIGNATURE (Domestic Mail Only)
Additional merchandise insurance is void if customer requests waiver of signature.
Federal Agency Acct. No. or Postal Service Acct. No. ☐ NO DELIVERY
Weekend ☐ Holiday ☐ Master Signature

TO: (PLEASE PRINT) PHONE ()

Barry Ennon
PO Box 877490
Dallas, TX 75286
99687 +

FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.



EI 268433725 US

PRESS HARD, YOU ARE MAKING 3 COPIES.

ORIGIN (POSTAL SERVICE USE ONLY)			
PO Zip Code	Day of Delivery	Postage	
05026	<input checked="" type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd Day	\$ 20.00	
Date Accepted	Scheduled Date of Delivery	Return Receipt Fee	
9 10 12	9 11	\$	
Time Accepted	Scheduled Time of Delivery	COD Fee	Insurance Fee
306 X PM	<input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM	\$	\$
Fee Rate <input type="checkbox"/> or Weight	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Total Postage & Fees	
	Int'l Airline Country Code	\$ 28.00	
		Acceptance Emp. Initials	RC

FROM: PLEASE PRINT PHONE: _____

849 N Keeler

Mesa 85201

FOR PICKUP OR TRACKING

Visit www.usps.com

Call 1-800-222-1811



1007 1 2012

\$28.00

03-12-mj-00279-DMS
 Inspection Service
 Exhibit
 2
 Label 113, July 1987

DELIVERY (POSTAL SERVICE USE ONLY)			
Mo.	Day	Time	Employee Signature
Mo.	Day	Time	Employee Signature
Mo.	Day	Time	Employee Signature

CUSTOMER USE ONLY

PAYMENT BY ACCOUNT
 Express Mail Corporate Acct. No. _____

Federal Agency Acct. No. or
 Postal Service Acct. No. _____

☐ NO DELIVERY
☐ Weekend ☐ Holiday ☐ Master Signature _____

☐ WAIVER OF SIGNATURE (Domestic Mail Only)
 Additional merchandise insurance is void if customer requests waiver of signature.
 I wish delivery to be made without obtaining signature of addressee or addressee's agent. If delivery is made, that service can be left in secure location and will not be delivered if employee's signature is required.

TO: PLEASE PRINT PHONE: _____

James Rose

847 E 73 Ave Apt

Anchorage, Alaska

99518

FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.



ATTACHMENT IN SUPPORT OF AFFIDAVIT FOR SEARCH WARRANT
PERFORMANCE RECORD OF SCENT DETECTION CANINE
TEAM INVESTIGATOR PAWLAK & K-9 "DUNCAN"

The facts tending to establish the foregoing grounds for issuance of a search warrant are as follows:

INVESTIGATOR RICK PAWLAK:

The affiant has been an Alaska State Trooper in Alaska since September 12, 1998 and an Alaska State Trooper K-9 Handler since March 2002. Investigator Pawlak has been a certified handler with three police canines and has been a scent detection instructor since June 2005. Investigator Pawlak completed a 10 week Dual Purpose K-9 Academy in 2002 and became certified in March 2002 with K-9 Bolo. Investigator Pawlak with K-9 Custa attended a 9 week K-9 Patrol Academy through the Anchorage Police Department K-9 Unit in 2004 and a 5-week Scent Detection K-9 Academy through the Alaska State Trooper K-9 Unit in 2005. On August 7, 2006 Inv. Pawlak was assigned to the Alaska Bureau of Alcohol and Drug Enforcement and on November 9, 2006 was assigned as a Task Force Officer to the Drug Enforcement Administration (DEA) Alaska Interdiction Task Force (AITF). In March of 2007 Inv. Pawlak attended the DEA Basic Drug Investigation Course (80 hrs), In September 2007, Inv. Pawlak attended DEA's Operation Jetway Training (24 hrs), and in February 2009 attended the Invicta Tactical's Law Dog Canine Conference (40 hrs). On February 8, 2011 and February 28, 2012, Investigator Pawlak and K-9 Duncan were certified by the Alaska State Troopers as a scent detection team.

SCENT DETECTION CANINE "DUNCAN":

K-9 Duncan is a male German Shepherd. In 2007, K9 Duncan attended a 10 week scent detection academy and became certified by the Alaska State Troopers to detect the odor of marijuana, methamphetamine, heroin, and cocaine. K-9 Duncan with Inv. Pawlak became certified in the detection of the odor of controlled substances Cocaine, Heroin, Methamphetamine, and Marijuana on February 8, 2011 and most recently on February 28th 2012..

SEARCHES:

Since February 2011, K-9 Duncan has been commanded to sniff for the presence of the odor of controlled substances approximately 175 times during scent detection training. K-9 Duncan performs blank training searches where no controlled substances are present and also trains in a variety of environments and conditions including but not limited to luggage, vehicles, packages, residences, and offices as part of his maintenance training. Since February 2011, K-9 Duncan was directed to sniff 416 times during actual controlled substance investigations and has indicated 106 times during those investigations. Subsequent searches and/or interviews have corroborated K-9 Duncan's indications to the presence of the odor of controlled substances on 97 of those indications. There has been 9 occasion(s) where K-9 Duncan indicated and the reasons for the indications remain unexplained. One unexplained indication is pending this search warrant and one indication is pending a separate search warrant.

SPECIFICS:

On 9-11-2012, Inv. Rick Pawlak and scent detection canine Duncan were requested to assist USPIS K. Dallas. At 1015 hours, Inv. Pawlak directed K9 Duncan to sniff the exterior US Postal Express Mail parcel EI 268433739 US and K9 Duncan indicated to the odor of a controlled substance.

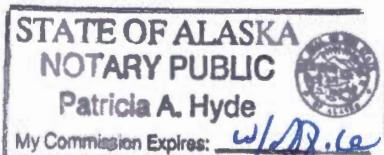
Signature _____

Subscribed and sworn to or affirmed before me on September 11, 2012, at

Anchorage, Alaska.

Signature: Notary (if needed) Signature: _____
(Seal)

Patricia A. Hyde



SEP 11 2012

